IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISIDICTION

WRIT PETITION NO.8886 OF 2004

Mr.Ashok Dattaram Madhav ...Petitioner

Vs.

The Manager Govt.Printing Press and Ors. ...Respondents

....

Mr.P.P.Chavan with K.R.Jagdale for Petitioner
Mr.S.K.Chinchalikar A.G.P. for State

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CORAM : B.H.MARLAPALLE,J.

DATE : JANUARY 24,2005

P.C.:

1. Heard Mr.Chavan, the learned counsel for the petitioner. The petitioner had approached the Industrial Court in Complaint (ULP) No. 512 of 2001 filed under Items 5 and 9 of Schedule IV of the MRTU and PULP Act, 1971. He had claimed that from 1972 to 1992, he was working as Router-cum-Mounter without any break and the said post was in a skilled category. He had therefore, prayed for promotion and/or the salary payable to the post of Router-cum-Mounter. The Industrial Court, at the first instance, held that there was a gross delay in approaching for redressal and subsequently, it also held that there was no post of Router-cum-Mounter in the Press at Mumbai. The allegation of unfair

labour practice of favouritism was also turned down. The Industrial Court also noted that the Respondent did not act in breach of any Government Resolutions or Service Rules. Admittedly, the petitioner is the State Government Employee and his salary is payable as per the recommendations of the Pay Commissions. If he was working on a higher post for sometime, his case could have been considered for officiating allowances if the Rules as applicable, so permitted.

2. The reasoning given by the Industrial Court in support of the impugned judgment in dismissing the complaint filed by the petitioners does not suffer from any error apparent on the face of the record and therefore, there is no case made out to interfere in the same under Article 227 of the Constitution of India.

3. Petition is therefore, rejected summarily.

[B.H.MARLAPALLE,J.]